

**Clark County Planning Commission**  
**Regular Meeting – 2 p.m.**  
**Wednesday, January 6, 2010**

**Springview Government Center**  
**3130 East Main Street**  
**Springfield, OH 45505**

---

## **AGENDA**

---

1. Roll Call
2. Minutes – December 2, 2009 (Regular Meeting) *Discussion & Action*
3. Rezoning Case      **Melvin Ward** ~ Bethel Township ~ 644 S. Medway-Carlisle Road ~ 5.44 Acres ~ A-1 (Agricultural District) to R-1 (Rural Residence District) *Discussion & Action*  
Z-2010-1
4. Staff Comments *Discussion*
5. Adjournment *Action*



---

# **HAPPY NEW YEAR!**

# Minutes

## Clark County Planning Commission

Regular Meeting ~ 2 p.m.  
Wednesday, December 2, 2009

Springview Government Center  
3130 East Main Street  
Springfield, Ohio 45505

Mrs. Nora Parker, Acting Chairperson of the Clark County Planning Commission of Clark County Ohio, calls the meeting to order at 2:00 p.m.

Present: Mrs. Nora Parker, Mr. David Minard, Ms. Jo Anderson, Mr. Ron Lyons, Mr. Steve Hopkins and Commissioner Hartley.

Absent: Ms. Diane Jordan, Mrs. Elaine Stevenson, Mr. Jim Burkhardt, Commissioner Detrick and Commissioner Tackett.

### CPC: 12-24-2009: Minutes ~ November 4, 2009 ~ Regular Meeting

Motion by Mr. Lyons, seconded by Ms. Anderson, to approve the minutes as presented.

**VOTE:** Motion carries unanimously.

### Z-2009-5: Rezoning Case ~ Garry & Patricia Williams ~ 2.218 acres ~1979 Lake Rd. ~ Bethel Township ~ R-1 to B-3

Mr. Tritle presents several maps and exhibits of this case and states that the property is currently zoned R-1 (Rural Residence District) and the request for rezoning is to B-3 (General Business District). The property is located on the west side of Lake Road, south of US 40 and north of Gerlaugh Road, it is in the northeast corner of the Crystal Lake Development. The surrounding zoning is A-1 to the north, R-3 to the west and south and a B-1 and I-1 across the street. The staff report shows this property was zoned A-1 as part of the original zoning adoption for Bethel Township. Previous Rezoning Case Z-2009-3, from R-1(Rural Residence District) to B-4 (Heavy Business District) was denied in October 2009. The B-3 District was requested to accommodate the proposed use of a used car lot. According to the applicant's drawing, out of the entire 2 acres only a 50' x 70' area is being paved and there will be a small office building.

The County Engineer has reviewed and noted a possible drainage outlet issue. They have no objection to the rezoning request.

The Soil Conservation provided a report indicating soil characteristics and drainage. They have no objection to the rezoning request.

The County Combined Health District has no report. The site can be served by public sewer.

The *CROSSROADS* Comprehensive Land Use Plan identifies this area as Medium Density Residential. The Plan states – "Medium density residential development (4 to 6 dwellings per acre – gross density) should be directed to existing residential growth areas, where it can be serviced by central water and



sewer service. This is recommended for portions of Bethel, Mad River, Moorefield and Springfield Townships – and the majority of the City of Springfield. Neighborhoods should transition to business areas through the use of multi-family development and institutional uses. New residential development should not be located in close proximity to established or planned industrial areas. Supporting commercial uses are appropriate, but only at key intersections.” Although there are adjacent areas zoned for commercial uses, these were rezoned prior to the *CROSSROADS* Plan in 1973 & 1984.

The staff is recommending denial of the rezoning request from A-1 (Agricultural District) to B-3 (General Business District) due to the location of the property, the surrounding uses and the *CROSSROADS* Comprehensive Plan. This is the same recommendation as the previous rezoning case Z-2009-3.

Mrs. Parker asks if the rezoning is approved and the current owners sell the property, is there anything that would stop the new owners from asphaltting the entire lot.

Mr. Tritle responds that not in regards to zoning. However, they may run into issues with the storm water plan. They must comply with storm water management regulations required by the County Engineer after it reaches a certain amount of hard surface.

Ms. Anderson asks how the rest of the property will be maintained since only a small area is being asphalted.

Mr. Garry Williams (Applicant) whose address is 5791 N. Dayton Lakeview Rd., responds that the 50' x 70' area is the minimum surface requirement for a car lot pertaining to the run off and drainage. The remaining land will be maintained in its present “grass” state.

Mr. Dean Fenton representing the County Engineer's Office states that the letter he sent to Mr. Williams states that he can go up to a half acre of paved area without filing storm water plans. Once they go larger than the half acre, plans must be submitted by an engineer to the County Engineer's Office addressing accelerated run off.

Mr. Lyon's asks Dean Fenton if that was the main reason for being turned down before, because of the larger paved area and drainage would be a problem.

Mr. Fenton responds that it was unknown what the land owner was going to develop. Under the B-3 they could virtually develop the entire site. With the County's experience in the Lake areas, there's no good outlet to discharge storm water. You have to create a detention or retention basin. There are already some existing issues in that area with drainage and that is how we based our position before. I have since spoken with Mr. Williams and based on his revised plan and intent to keep the car lot on a small scale, I have revised my letter.

Hearing no further questions, Mrs. Parker asks for a motion.

Commissioner Hartley at this time expresses his concerns in approving this motion due to the fact that he received letters from the Bethel Township Trustees opposing the rezoning of this property.

# Minutes

## Clark County Planning Commission

Ms. Anderson asks if there are any Trustee's present to address the content of the letters.

Mr. Tritle responds no.

Mr. Garry Williams states that he recently spoke with Mr. David Phares, a Bethel Township Trustee, and indicated that he is not opposed to the rezoning.

Mr. Lyons asks Dean Fenton if he has spoken with Mr. Phares regarding the rezoning of this property.

Mr. Fenton responds that he has and he stated a concern for the development if it was going to be larger permitted under the B-3. There may be an issue getting an outlet. They want it to stay under a half acre of development.

Hearing no further questions, Mrs. Parker asks for a motion.

**CPC: 12-25-2009: Z-2009-5: Rezoning Case ~ Garry & Patricia Williams ~ 2.218 acres ~ 1979 Lake Rd. ~ Bethel Township ~ R-1 to B-3**

Motion by Ms. Anderson, seconded by Mr. Hopkins to recommend Approval of rezoning case Z-2009-5 to B-3"S" with recommendation to limiting pavement to proposed size of 50' x 70'.

**VOTE: Yes: Mr. Minard, Ms. Anderson, Mr. Lyons and Mr. Hopkins.**

**No: Mr. Hartley.**

**Motion to approve passes.**

**SB-2009-3: Subdivision Case ~ Northridge Subdivision Replat No. 29 – Final ~ 10.414 acres ~ 30 Lots ~ Moorefield Township ~ Public Sewer & Water**

Mr. Tritle presents several maps and exhibits of this case and states that the property is currently zoned R-2A (Medium Density Single-Family Residence District.) The preliminary plat for Northridge 29 was considered at the December 5, 2001 meeting and was tabled "to allow the developer to resolve issues raised by various agencies." The Preliminary was considered at the February 6, 2008 meeting of County Planning and was recorded on April 1, 2009. The owner/developer wishes to reconfigure the plat boundary, reconfigure several lots, and add two lots to Northridge 29 by this replatting.

The County Engineer's Office noted the changes in the recorded Northridge 29 and the replat. The open drainage has been placed on permanent maintenance. All public improvements have been constructed and accepted. They have no objection provided the existing lots are vacated according to State statutes.

The Tax Map Department has reviewed the replat and has noted several items which need to be addressed.



The Soil & Water Conservation District has reviewed the final plans and note native soil conditions have been altered and drainage on site is tributary to Kenton Creek. Use *Best Management Practices* during construction.

The County Utilities Department have no comments concerning the replat. All utilities are installed and approved.

This property is classified by the Clark County Land Use Plan as mixed use development which includes commercial, office, light industrial and related uses, and is appropriate in existing and new locations. The land use pattern within urban areas will continue to be mixed use – reflecting historic patterns – but with some concentration into functional, single- use districts such as residential, business districts and industrial areas. Infill and redevelopment should be the priority in urban areas.

This replat consists of reconfiguring the plat boundary, reconfiguring several lots, and adding two lots when compared to the approved and recorded Northridge 29. The boundary issue presented a problem. We determined that the best way to resolve this issue was to have Northridge 29 vacated. There are several different approaches as to how this is accomplished. The applicant has chosen to give notice in the newspaper for two weeks to vacate the lots in Northridge 29.

There is a new and unusual feature to this subdivision. The right-of-way includes “flare points” where culverts will be installed under the roads. This will permit public maintenance of the culverts and end walls due to this public ownership as shown on the plat map at the north and south end of Parcel B. Two items which need correction on the “Record Plat” for this plat are that the address for Lots 828 and 829 are the same and under the “Acknowledgment Statement” there is a reference to “OAC 711.25” – this should be “ORC 711.25” and concerns the vacating procedure for the lots in the currently recorded Northridge 29.

The staff recommends approval of the Final Plans of Northridge No. 29 Replat subject to: addressing comments from County Engineer’s Tax Map Dep., correcting two items noted by Community Development Staff as previously stated and publication of notice for two weeks to vacate lots in Northridge 29. These items must be addressed prior to “Certification” sign-off by the County Planning Secretary.

Commissioner Hartley asks Dean Fenton if perspective buyers will be told about the drainage assessment.

Mr. Fenton responds that the drainage assessment will already be assessed on the property tax bill and will show on a title search.

Hearing no further questions, Mrs. Parker asks for a motion.

**CPC: 12-26-2009; SB-2009-3; Subdivision Case ~ Northridge Subdivision Replat  
No. 29 – Final ~ 10.414 acres ~ 30 Lots ~ Moorefield Township ~ Public Sewer &  
Water**

# Minutes

## Clark County Planning Commission

Motion by Mr. Lyons, seconded by Mr. Minard to recommend Approval of subdivision case SB-2009-3 subject to addressing the comments from Tax Map prior to the certification.

**VOTE: Motion carried unanimously**

### Staff Comments

Mr. Tritle states that this will be Mr. Farnsworth's last County Planning Board meeting. He will be taking a position with Fairfield County the first of the year.

Mr. Farnsworth thanks the board.

The Board members extend their well wishes.

Mr. Farnsworth reminds the board of the Miami Valley Planning and Zoning Workshop at Sinclair Community College on Friday, December 4<sup>th</sup>. The County Commissioners have approved for reimbursement of the registration fee for the board members. Staff highly recommends board attendance.

### Adjournment

#### CPC: 12-27-2009: Adjournment

Motion by Mr. Hartley, seconded by Mr. Lyons, to adjourn the meeting.

**VOTE: Motion carried unanimously.**

The meeting was adjourned at 2:34 p.m.

---

Nora Parker, Acting Chairperson

---

Mr. Thomas A. Hale, Secretary

NOTE FOR MINUTE BOOK: See additional information included following the minutes.

## Rezoning Case # Z-2010-1

<b>To:</b> Clark County Planning Commission	<b>Date of Meeting:</b> January 6, 2010
<b>From:</b> Community Development Staff	<b>Date of Report:</b> December 29, 2009

**Applicant:** Melvin S. Ward

**Request Action:** Rezone **from** - A-1 (Agricultural District)  
**to** - R-1 (Rural Residence District)

**Location:** 644 S. Medway-Carlisle Rd.

**Size:** 5.44 acres

**Existing Land Use:** Residential

### Surrounding Land Use and Zoning:

	Land Use	Zoned
<b>North</b>	residential & agriculture	A-1 Agricultural District
<b>South</b>	residential	A-1 Agricultural District R-1 Rural Residence District
<b>East</b>	residential	A-1 Agricultural District
<b>West</b>	residential & agriculture	A-1 Agricultural District

## ANALYSIS

This property was zoned A-1 as part of the original zoning map for Bethel Township.

### County Engineer

Has reviewed access and drainage. Does not object to rezoning. (See Dec. 28, 2009 letter)

### Soil Conservation

Report indicates soil types and drainage issues. (See Dec. 28, 2009 letter)

### County Health District

No report. On-site well & septic.



### **Community Development Department**

The **CROSSROADS** Comprehensive Land Use Plan shows this area as Medium Density Residential and Agricultural/Rural Residential. The Plan states -

*"Medium density residential development (4 to 6 dwellings per acre - gross density) should be directed to existing residential growth areas, where it can be serviced by central water and sewer service. Neighborhoods should transition to business areas through the use of multi-family development and institutional uses. New residential development should not be located in close proximity to established or planned industrial areas."*

**and**

*"Predominantly rural portions of the County, where agriculture should remain the priority, are designated as Agricultural/Rural Residential. This designation emphasizes agriculture as the dominant land use, but also recognizes that residential uses are appropriate if very low density in character (less than one dwelling per two acres - gross density) and/or clustered to preserve significant open space features (such as prime agricultural soils)."*

The applicant submitted a Zoning Permit Application for an addition to the south side of the existing residence. The new addition would be 15' from the side lot line. Under the current A-1 District, the minimum side setback for a residential structure is 25'. The applicant was informed that the Zoning Permit could not be approved as submitted and indicated that two options were available in order to be in compliance with a 15' side setback - 1) apply for a variance to the Board of Zoning Appeals (BZA), or 2) apply for rezoning to the R-1 District. The applicant chose the second method.

### **Staff Recommendation**

---

Staff recommend approval of this rezoning.

#### **Attachments:**

1. Letter from County Engineer
2. Report from Soil Conservation
3. Location Map
4. Zoning Map



# Clark County Engineer's Department

Johnathan A. Burr P.E., P.S.  
Clark County Engineer

4075 Laybourne Road  
Springfield, Ohio 45505-3613  
(937) 521-1800 (937) 328-2473 fax  
[www.clarkcountyohio.gov/engineer](http://www.clarkcountyohio.gov/engineer)

December 28, 2009

Clark County Planning Commission  
3130 E. Main Street, Suite 1A  
Springfield, Ohio 45505

Re: Z-2010-01 Melvin Ward  
5.44 Acres 644 S. Medway Carlisle Rd. from A-1 to R-1

Mr. Tritle,

The County Engineer has reviewed the request by Melvin Ward to rezone 5.44 acres currently zoned A-1 agriculture to R-1 Residential.

- 1) Access
  - a) The property has access onto S. Medway Carlisle Road, which is classified as a Collector Street on the County's Thoroughfare Plan.
  - b) There is an existing drive, which provides access to the property. No additional access points are recommended.
- 2) Drainage
  - a) The site is being utilized in a residential nature, with an existing residence situated on the land.
  - b) The site appears to drain satisfactorily in the present developed state.

The County Engineer has no objection to the request to rezone 5.44 acres in Bethel Township, based on the above noted comments.

Sincerely,

Johnathan A. Burr, P.E., P.S.  
Clark County Engineer



Kenneth D. Fenton  
Deputy Engineer

I:\ZONING\2010 Zoning\Z-2010-1 Ward 644 S Medway Carlisle.doc

Paul W. DeButy, P.E. - Deputy Engineering/Planning  
Kenneth D. Fenton, P.S. - Deputy Engineer  
Doug Frank - Superintendent, Bridges/Garage/Traffic  
Mark Niccolini - Drainage Maintenance Supervisor

Ned G. Weber - Deputy Operations/Maintenance  
Thomas Bender, P.E. - Project Design Engineer  
Donald Boyle - Road Superintendent  
William Pierce, P.S. - Tax Map Director



4400 Gateway Blvd. - Suite 103  
Springfield, Ohio 45502

Phone (937) 328-4600/4601  
Fax (937) 328-4606

*With the Right to Own – Goes the Duty to Conserve*

**BOARD OF SUPERVISORS**

Brent Pence, Chairman  
John Ritter, Vice Chairman  
Fred Berge, Fiscal Agent  
Adam Agle, Secretary  
Dan Maxson, Treasurer

December 28, 2009

Phil Tritle  
3130 East Main Street  
Springfield, Ohio 45505

RE: 644 S. Medway – Carlisle Rd. – Rezone A-1 to R-1

Dear Phil,

The Clark Soil & Water Conservation District has reviewed the above site and provided the following information relative to soils, drainage and building site development. The attached reports are generated from NRCS's soil survey for Clark County. The reports provided give a clear, visual interpretation for Building Site Development including small commercial buildings, dwellings with a basement and dwellings without a basement. Page one of the report contains the soil map for the area stated above and page two of the report contains a list of all soils and their limitations for the site. The third page gives a detailed description for the limiting factors for the building site. Please note that areas on the map highlighted in **RED** have a very limited rating for dwellings without basements according to the NRCS Web soil survey. A *Very limited rating* indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected. Please contact our office with any further questions you may have on the site in question.

**Soils**

**Map**      *EmA*      Eldean silt loam, 0 to 2 percent slopes

This very deep soil is nearly level and well drained located on terraces along streams. The parent material is glacial outwash deposits. Available water capacity is moderate, organic matter content is low, the rooting zone is deep, and permeability is moderate (0.6 to 2.0 in/hr) in the subsoil and rapid (6.0 to 20 in/hr) in the underlying sand and gravel. Generally, this soil is not subject to flooding.

**Map**      *MmD3*      Miamian clay loam, 12 to 18 percent slopes, severely      eroded

This deep soil is moderately steep and well drained. It is located on side slopes at heads of drainageways. The parent material is glacial till. Available water capacity is low, organic matter content is very low, the rooting zone is moderately deep, and permeability is moderately slow (0.2 to 0.6 in/hr). This soil is not subject to flooding.

CONSERVATION      ~      DEVELOPMENT      ~      SELF-GOVERNMENT

*Map*      *MkB2*      Miamian silty clay loam, 2 to 6 percent slopes, eroded

This very deep soil is gently sloping and well drained. It is located on low knolls and in undulating areas in uplands. The parent material is glacial till. Available water capacity is moderate, organic matter content is low, the rooting zone is moderately deep, and permeability is moderately slow (0.2 to 0.6 in/hr). This soil is not subject to flooding.

### **Drainage**

Our office has documented drainage issues with this area. There is an existing drainage pattern which involves this property and the surrounding properties. Any excavation or construction performed to this property should not interfere with the existing drainage pattern causing further drainage issues. Please be advised when performing any excavation on site.

Sincerely,

Jereme Best  
District Technician, Clark SWCD



Dwellings Without Basements (OH)—Clark County, Ohio  
(644 S. Medway - Carlisle Rd.)



## Report—Dwellings and Small Commercial Buildings (OH)

[Onsite investigation may be needed to validate the interpretations in this table and to confirm the identity of the soil on a given site. The numbers in the value columns range from 0.01 to 1.00. The larger the value, the greater the potential limitation. The table shows only the top five limitations for any given soil. The soil may have additional limitations]

Dwellings and Small Commercial Buildings (OH)— Clark County, Ohio							
Map symbol and soil name	Pct. of map unit	Dwellings without basements (OH)		Dwellings with basements (OH)		Small commercial buildings (OH)	
		Rating class and limiting features	Value	Rating class and limiting features	Value	Rating class and limiting features	Value
EmA—Eldean silt loam, 0 to 2 percent slopes							
Eldean	75	Somewhat limited		Not limited		Somewhat limited	
		Shrink-swell	0.50			Shrink-swell	0.50
MkB2—Miami silty clay loam, 2 to 6 percent slopes, eroded							
Miamian	85	Not limited		Not limited		Somewhat limited	
						Slope	0.68
MmD3—Miami clay loam, 12 to 18 percent slopes, severely eroded							
Miamian	85	Very limited		Very limited		Very limited	
		Slope	1.00	Slope	1.00	Slope	1.00

### Data Source Information

Soil Survey Area: Clark County, Ohio  
 Survey Area Data: Version 10, Dec 23, 2008





## Dwellings and Small Commercial Buildings (OH)

Soil properties influence the development of building sites, including the selection of the site, the design of the structure, construction, performance after construction, and maintenance. This table shows the degree and kind of soil limitations that affect dwellings with and without basements and small commercial buildings. The ratings in the table are both verbal and numerical.

Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect building site development. *Not limited* indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected. *Somewhat limited* indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. *Very limited* indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

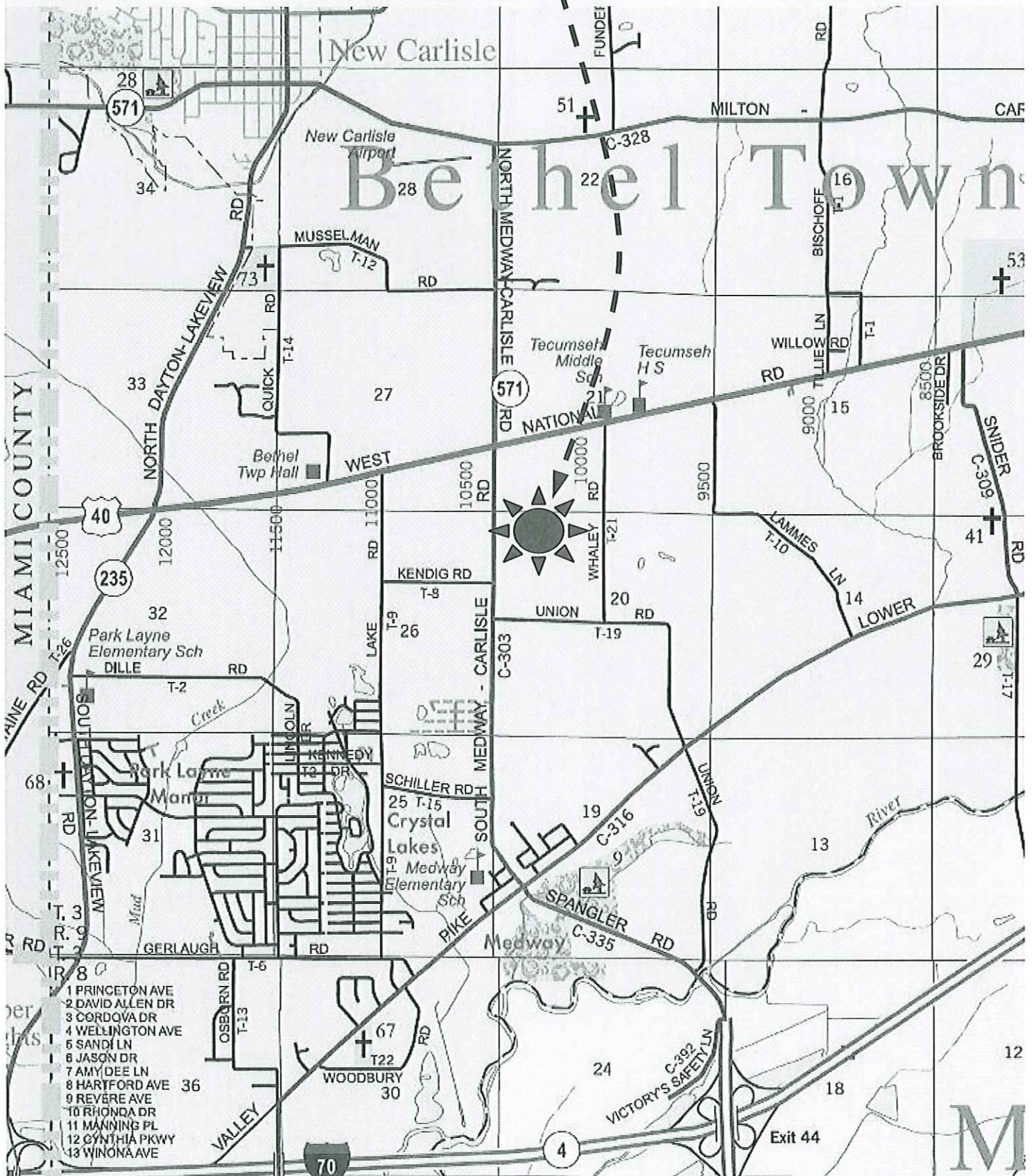
Numerical ratings in the table indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and the point at which the soil feature is not a limitation (0.00).

*Dwellings* are single-family houses of three stories or less. For dwellings without basements, the foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper. For dwellings with basements, the foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of about 7 feet. The ratings for dwellings are based on the soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs. The properties that affect the load-supporting capacity include depth to a water table, ponding, flooding, subsidence, linear extensibility (shrink-swell potential), and compressibility. Compressibility is inferred from the Unified classification. The properties that affect the ease and amount of excavation include depth to a water table, ponding, flooding, slope, depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, and the amount and size of rock fragments.

*Small commercial buildings* are structures that are less than three stories high and do not have basements. The foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper. The ratings are based on the soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs. The properties that affect the load-supporting capacity include depth to a water table, ponding, flooding, subsidence, linear extensibility (shrink-swell potential), and compressibility (which is inferred from the Unified classification). The properties that affect the ease and amount of excavation include flooding, depth to a water table, ponding, slope, depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, and the amount and size of rock fragments.



# LOCATION MAP



**CASE # Z-2010-1**  
**A-1 to R-1**

**5.44 ac.**

**644 S. Medway-Carlisle Rd.**  
**Bethel Twp.**



# ZONING MAP

1850ft



CASE # Z-2010-1

A-1 to R-1

644 S. Medway-Carlisle Rd.

5.44 ac.

Bethel Twp.



# CLARK COUNTY ZONING

November 2008

General Uses - see zoning text for details and other restrictions

## A-1

PRINCIPAL PERMITTED AND CONDITIONED USES:	
1. Agriculture, Farm Markets, Agricultural-Related Processing & Marketing, & related buildings & structures	
2. Single-Family Residential	
a. Single-Family Residential (restricted to lotsplits)	
b. Single-Family Residential (restricted to cluster lotsplits & bonus cluster lotsplits)	
3. Private Landing Field	
4. Day-Care Homes	
5. Bed and Breakfast	
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	
1. Home Occupations	
2. Private and Public Outdoor Recreation Areas	
3. Cemeteries	
4. Animal Hospitals, Veterinary Clinics & Kennels	
5. Resource and Mineral Extraction	
6. Demolition Disposal Facility	
7. Airports	
8. Radio, Television, & Telecommunications Transmission & Receiving Towers	
9. Hospitals and Auxiliary Facilities	
10. Group Care Home	
11. Nursing Homes, Convalescent Homes, & Rest Homes	
12. Feed Lot, Grain Elevators, & Slaughterhouses	
13. Day-Care Centers	
14. Churches and Similar Places of Worship	
15. Primary and Secondary Schools	
16. Institutions of Higher Learning	
17. Garden Centers and Greenhouse	

## AR-1, AR-2, AR-5, AR-10, & AR-25

PRINCIPAL PERMITTED AND CONDITIONED USES:	AR-1	AR-2	AR-5	AR-10	AR-25
1. Agriculture, Farm Markets, & related buildings & structures	Y	Y	Y	Y	Y
2. Single-Family Residences	Y	Y	Y	Y	Y
3. Day-Care Homes	Y	Y	Y	Y	Y
4. Bed and Breakfast	Y	Y	Y	Y	Y
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	AR-1	AR-2	AR-5	AR-10	AR-25
1. Home Occupations	Y	Y	Y	Y	Y
2. Churches and Similar Places of Worship	Y	Y	Y	Y	Y
3. Primary & Secondary Schools	N	Y	Y	Y	Y
4. Institutions of Higher Learning	N	N	Y	Y	Y

## R-1, R-2, R-2A, R-2B

PRINCIPAL PERMITTED AND CONDITIONED USES:	R-1	R-2	R-2A	R-2B
1. Single-Family Dwellings	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
2. Bed and Breakfast	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
3. Agriculture and Related Buildings and Structures	--	--	--	--
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	R-1	R-2	R-2A	R-2B
1. Home Occupation	Y	Y	Y	Y
2. Churches & similar places of worship	Y	Y	Y	Y
3. Primary & Secondary Schools	Y	Y	Y	Y
4. Institutions of Higher Learning	Y	N	N	N
5. Hospitals & Auxiliary Facilities	Y	Y	Y	N
6. Group Care Homes	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
	Y	Y	Y	Y
7. Farm Markets	Y	N	N	N
8. Cemeteries	Y	N	N	N
9. Day-Care Homes	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
	Y	Y	Y	N
10. Nursing Homes, Convalescent Homes, Rest Homes	Y	N	N	N
11. Radio, Television & Telecommunication Transmission / Receiving Towers	N	Y	Y	Y
12. Zero Lot Line, Cluster, Detached, Semi-detached Dwellings, or other housing types of a similar character	N	Y	Y	Y

Y = Yes (Permitted)

N = No (Not Permitted)

## R-3 & R-4

PRINCIPAL PERMITTED AND CONDITIONED USES:	R-3	R-4
1. Single-Family Dwellings	Y	Y
2. Two-Family Dwellings	Y	Y
3. Three-Family Dwellings	N	Y
4. Four-Family Dwellings	N	Y
5. Multiple-Family Dwellings	N	Y
6. Condominium Residences	N	Y
7. Agriculture and Related Buildings & Structures	Y	Y
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	R-3	R-4
1. Zero Lot Line, Cluster, Detached, Semi-detached, or Attached Dwellings, or other housing types of a similar character	Y	Y
2. Home Occupation	Y	Y
3. Churches & similar places of worship	Y	Y
4. Group Care Homes	Y	Y
5. Day-Care Homes	Y	Y
6. Day-Care Centers	N	Y
7. Community Facilities	N	Y

## R-MHP

PRINCIPAL PERMITTED USES:
1. Mobile Homes
2. Manufactured Homes
3. Communal Facilities

## PD

PRINCIPAL PERMITTED USES:
1. PD-R (Residential)
2. PD-O (Office)
3. PD-B (Business)
4. PD-I (Industrial)
5. PD-M (Mixed Uses)
6. PD-C (Conservation)
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)
1. Home Occupation



# CLARK COUNTY ZONING

November 2008

General Uses - see zoning text for details and other restrictions

## B-1

PRINCIPAL PERMITTED AND CONDITIONED USES:		
1. Business and/or Professional Offices		
2. Banks, Financial Institutions, & Loan Businesses		
3. Local retail or service establishments, including:		
camera, photo, or electronic store		
luggage or leather goods store		
grocery, fruit or vegetable store		
health & fitness center including spas		
bakery goods, pizza or delicatessen store		
pressing, alteration, sewing & garment repair		
toy store, hobby shop, or home decorations store		
shoe store or shoe repair shop		
book store, news stand, or stationery store		
durable goods, furniture & appliance store		
drugstore, florist, jewelry, gift, or optical store		
hardware store		
barber or beauty shop		
laundromat, clothes cleaning & laundry pick-up station		
candy or ice cream store		
4. Restaurant excluding:		
a) Drive-in or Drive-thru		
b) those providing entertainment or dancing		
5. Radio and Television Broadcasting Studios		
6. Funeral Homes & Mortuaries		
7. Custom Butcher Shop or meat market		
8. Automotive Service Stations without repair facilities and excluding temporary or short-term or long-term outside storage of parts and/or vehicles		
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)		
1. Indoor Private & Commercial Recreation Establishments		
2. Day-Care Centers		
3. Clubs, Fraternal or Lodge Organizations		
4. Nursing Homes, Convalescent Homes, Rest Homes		
5. Churches & similar places of worship		

## O-1 & OR-2

PRINCIPAL PERMITTED AND CONDITIONED USES:	O-1	OR-2
1. Business and/or Professional Offices, including Medical and Dental Clinics	Y	N
2. Banks and Financial Institutions	Y	N
3. Law, Real Estate, and Insurance Offices	Y	N
4. Business Service Establishments	Y	N
5. Single-Family Dwellings	N	Y
6. Incidental Business Uses	N	Y

Y = Yes (Permitted)

N = No (Not Permitted)

## B-2

PRINCIPAL PERMITTED AND CONDITIONED USES:	
1. Uses listed as "Principal Permitted & Conditioned Uses" in the B-1 District	
2. Indoor Motion Picture Theaters	
3. Restaurants, including Drive-in, Carry-out, and Drive-thru excluding:	
a) those providing entertainment or dancing	
4. Garden Centers and Greenhouses	
5. Printing, publishing, and lithograph shops	
6. Antique & antique refinishing shop	
7. Furniture upholstery & refinishing shop	
8. Automotive Service Stations with repair facilities and excluding temporary or short-term or long-term outside storage of parts and/or vehicles	
9. Car Rental pick up facility	
10. Car Washes	
11. Bowling alleys or billiard parlors	
12. Air Conditioning, Plumbing, Heating, and Roofing Shops	
13. Automotive Parts Store selling new or newly remanufactured parts and/or tires and batteries	
14. Indoor Private & Commercial Recreation Establishments	
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	
1. Uses listed as "Conditionally Permitted Uses" in the B-1 District	
2. Animal Hospitals, Veterinary Clinics, and Kennels	
3. Bars and Taverns	

## I-1

PRINCIPAL PERMITTED AND CONDITIONED USES:	
1. Industrial & Manufacturing Establishments	
2. Warehouses	
3. Wholesale Establishments	
4. Manufacturing Retail Outlets	
5. Any use permitted and as regulated as a Principal Permitted or Conditioned Use in the B-4 District	
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	
1. Any use permitted and as regulated as a Conditionally Permitted Use in the B-4 District	
2. Junkyards & Automobile Wrecking Yards	
3. Resource and Mineral Extraction	
4. Penal & Correctional Facilities	
5. Sanitary Landfills	

## B-3

PRINCIPAL PERMITTED AND CONDITIONED USES:	
1. Uses listed as "Principal Permitted & Conditioned Uses" in the B-2 District	
2. Building and Related Trades	
3. Building Material Sales Yard	
4. Automotive sales - new & used	
5. Automotive Repair or Body Shop provided all outside storage is screened on all sides by a well maintained 6 foot opaque wall or fence	
6. Wholesale Establishments	
7. Restaurants, including Drive-in, Carry-out, and Drive-thru and those providing entertainment or dancing	
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	
1. Uses listed as "Conditionally Permitted Uses" in the B-2 District	

## B-4

PRINCIPAL PERMITTED AND CONDITIONED USES:	
1. Uses listed as "Principal Permitted & Conditioned Uses" in the B-3 District	
2. Carpenter, Sheet Metal & Sign Painting Shop, Bakery, Laundry, Wholesale Business	
3. Bottling of Soft Drinks and Milk or Distributing Stations	
4. Contractor's Equipment Storage Yard or Storage & Rental of Contractor's Equipment	
5. Motor Vehicle, Boat, & Camper Storage	
6. Trucking and Motor Freight Station or Terminal	
7. Carting, Express, or Hauling Establishment	
8. Stone or Monument Works	
9. Mini-Warehouse or Self Storage Facility	
10. Recycling center & transfer station	
11. Research lab	
12. Private and Public Outdoor Recreation Areas	
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	
1. Uses listed as "Conditionally Permitted Uses" in the B-3 District	